

Notice of Allowability

Application No.

10/758,098

Examiner

Anh t.n Vo

Applicant(s)

SASAKI ET AL.

Art Unit

2861

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Preliminary amendment filed on 01/16/2004.
2. ☒ The allowed claim(s) is/are 1-11.
3. ☒ The drawings filed on 16 January 2004 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

REASONS FOR ALLOWANCE

The following is an Examiner's Statement of Reasons for Allowance:

Claims 1-5 are allowed because none of the prior art references of record teaches a combination of a recording device and an ink cartridge comprising a lever that is operated a cover selectively covering and uncovering a hollow needle; a sensor portion including a light emitting portion and a light receiving portion in confrontation with each other, the lever and the sensor portion protruding from the floor surface into the ink cartridge mounting portion at two positions that sandwich therebetween an imaginary extension of the axial needle extending in the needle axial direction; and a sensor indentation portion that accommodates the sensor portion interposing between the light emitting portion and the light receiving portion when the ink cartridge is mounted in the ink cartridge mounting portion in the combination as claimed.

Claims 6-7 are allowed because none of the prior art references of record teaches an ink cartridge for use with a recording device comprising a sensor indentation portion and a protruding wall indentation portion being formed open at the front surface and the lower surface at a position that sandwiches both sides of an ink supply hole of the ink cartridge as viewed from the front surface side in the combination as claimed.

Claims 8-11 are allowed because none of the prior art references of record teaches ink cartridge for use with a recording device comprising a sensor indentation portion open to the front surface and the lower surface of the ink cartridge for accommodating the sensor portion, the sensor indentation portion being shifted, with respect to a view from the front surface side, from the ink supply hole in a direction parallel with the lower surface; and a light blocking member that moves corresponding to amount of ink remaining in the ink cartridge, the light blocking member being provided in correspondence with the sensor portion so as to protrude into the sensor indentation portion and interpose between the light emitting portion and the light receiving portion when the ink cartridge is mounted in the ink cartridge mounting portion in the combination as claimed.

CONCLUSION

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Any comments considered necessarily by applicant must be submitted no later than the payment of the Issue Fee and, to avoid processing delays, should preferably accompany the Issue Fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Anh Vo whose telephone number is (571) 272-2262. The examiner can normally be reached on Tuesday to Friday from 8:30 A.M. to 6:30 P.M..

The fax number of this Group 2800 is (703) 872-9306.

A handwritten signature in black ink, appearing to read 'Anh T.N. Vo', with a long horizontal flourish extending to the right.

ANH T.N. VO
PRIMARY EXAMINER

December 2, 2004